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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/822,522 | 04/12/2004 | Hui-Jye Hshieh | 24061.123 (TSMC2003-0744) | 3356 |
| 42717 | 7590 | 07/26/2006 | EXAMINER | |
| HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202 | | | KASENGE, CHARLES R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2125 | |
| DATE MAILED: 07/26/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/822,522 | HSHIEH ET AL. | |
| | Examiner | Art Unit | |
| | Charles R. Kasenge | 2125 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/14/04, 9/17/04</u> | 6) <input checked="" type="checkbox"/> Other: <u>IDS cont.: 4/12/04</u> |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 1 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: how second information is “determined in response to the first information”.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5, 7-20, and 22-30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Yazback et al. U.S. Patent 6,839,601. Regarding claim 1, Yazback discloses a method of communicating semiconductor manufacturing information, the method comprising:

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providing, by a first service provider, a lot of semiconductor components to a second service provider for processing (col. 5, lines 37-40); receiving, by the first service provider, first information associated with the processing, from the second service provider (col. 5, lines 45-46); and outputting, by the first service provider, second information determined in response to the first information, to a customer affiliated with the second service provider (col. 5, lines 46-52).

Regarding claims 2-5, 7-9, 17-20 and 22-24, Yazback discloses the method of claim 1 further comprising: in association with providing the lot of semiconductor components to the second service provider for processing, providing, by the first service provider, a virtual work order to the second service provider (col. 6, lines 22-30). Yazback discloses the method of claim 1, wherein the first service provider and the second service provider are separate business organizations (col. 5, lines 34-36). Yazback discloses the method of claim 1, wherein the first service provider includes a first manufacturing execution system ("MES"), the second service provider includes a second MES, and the first MES and the second MES are dissimilar (col. 5, lines 34-36). Yazback discloses the method of claim 1, wherein the first information includes work-in-process ("WIP") information (col. 5, lines 40-43). Yazback discloses the method of claim 5, wherein receiving the WIP information is by periodically receiving the WIP information, in response to passage of a predetermined period of time (col. 3, lines 58-61). Yazback discloses the method of claim 1, wherein the first information includes shipping information (col. 5, lines 37-44). Yazback discloses the method of claim 1, wherein the first information includes lot yield information (col. 3, lines 34-40).

Regarding 10-15 and 25-30, Yazback discloses the method of claim 1, wherein receiving

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the first information and outputting the second information are by receiving and outputting through a network (col. 3, lines 41-65). Yazback discloses the method of claim 10, wherein the network is a global computer network (col. 3, lines 41-65). Yazback discloses the method of claim 10, wherein receiving the first information and outputting the second information are by receiving and outputting using the file transfer protocol ("FTP") (col. 3, lines 41-65). Yazback discloses the method of claim 10, wherein receiving the first information and outputting the second information are by receiving and outputting using the hyper text transfer protocol ("HTTP") (col. 3, lines 41-65). Yazback discloses the method of claim 1, wherein the lot of semi-conductor components is a lot of integrated chips ("IC's") (col. 5, lines 37-44). Yazback discloses the method of claim 1, wherein the second information includes the first information (col. 5, lines 46-52).

Allowable Subject Matter

6. Claims 6 and 21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles R. Kasenge whose telephone number is 571 272-3743. The examiner can normally be reached on Monday through Friday, 8:30 - 5 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, consisting of a large, stylized 'O' followed by a series of loops and a final vertical stroke.

CK
July 22, 2006